

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA :
v. : Mag. No. 10-2020 (JS)
GENE SMOLLOCK : CONTINUANCE ORDER

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of Jersey, (Jacqueline M. Carle, Assistant United States Attorney, appearing), and defendant Gene Smollock (Lori Koch, Esquire, appearing) for an order granting a continuance of the proceedings in the above-captioned matter for a period of approximately sixty (60) days to allow the parties to review pre-indictment discovery (including evidence from defendant's computer), and conduct plea negotiations, and the defendant being aware that he has the right to have the matter submitted to a grand jury within thirty days of the date of his initial appearance pursuant to Title 18, United States Code, Section 3161(b), and the defendant having consented to the continuance, and for good cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. Counsel for the United States has represented to this Court that the parties are negotiating a plea agreement; the defendant, through counsel, has consented to this Order; and both the United States and the defendant desire additional time to review pre-indictment discovery and conduct plea negotiations, which would render any grand jury proceedings and any subsequent trial of this matter unnecessary;

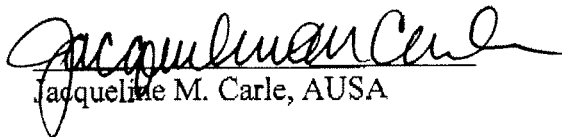
2. Pursuant to Title 18, United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

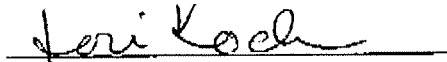
IT IS on this 7th day of July, 2010,

ORDERED that this action be, and hereby is, continued from July 8, 2010 through and including September 8, 2010; and

IT IS FURTHER ORDERED that the period from the date this Order is signed through September 8, 2010 shall be excludable in computing time under the Speedy Trial Act of 1974.


HONORABLE JOEL SCHNEIDER
United States Magistrate Judge


Jacqueline M. Carle, AUSA


Lori Koch, Esquire
Counsel for Defendant